

**Office of Special Education  
Michigan Department of Education (MDE)**

**Procedures for Calculating  
Significant Disproportionality--Identification**

**October 2012 Revision**

Regulation §300.646 of the *Individuals with Disabilities Education Act* (IDEA) requires that each state that receives assistance under Part B of the IDEA must provide for the collection and examination of data to determine if disproportionality based on race and ethnicity is occurring in the state and the local education agencies of the state with respect to: identification of children with disabilities.

1. Calculations use data from the fall 2011 and fall 2012 Michigan Student Data System (MSDS)<sup>1</sup> general collections including the Special Education count files. Only students with an Individualized Education Plan (IEP), ages 6 through 21, per the *Individuals with Disabilities Education Act* (IDEA) Part B definition, are counted.<sup>2</sup> (The residency codes of students are drawn from the data in MSDS, and the disability category is based on the information in the MSDS special education child count.) Resident district data refers to the students that live within a district's boundaries with the following exceptions: students attending public school academies, schools of choice, non-public schools, registered home-schools and entities serving adjudicated students are only reflected in their operating district.
2. Calculations are performed for all districts with 30 or more students with an IEP.
3. Calculations are performed for each given racial/ethnic subgroup (American Indian, Asian, Black, Hispanic, Native Hawaiian or Other Pacific Islander, White, or Two or More Races) within a district if the total enrollment in the operating district (including special education) for all other racial/ethnic subgroups (total enrollment comparison group) is more than 100.

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<sup>1</sup> Michigan Student Data System (MSDS) is the statewide data system for all schools/students.

<sup>2</sup> Students who have been placed in facilities for adjudicated youth (as indicated by the student residency code in MSDS) are excluded. Also excluded are students enrolled in the Operating District Number 84020.

4. Calculations are performed for each racial/ethnic subgroups with 10 or more students in a given disability category (all disabilities, autism spectrum disorder, cognitive impairment, emotional impairment, other health impairment, specific learning disability and speech and language impairment).
5. A Weighted Risk Ratio (WRR) is used to determine significant disproportionality for a particular racial/ethnic subgroup when the district's student population is similar to the state racial/ethnic distribution and there are at least 10 students in the given disability category in all other racial/ethnic subgroups (disability comparison group). There are two comparison groups:
  - All students with an IEP of any other racial/ethnic subgroup.
  - All students in the specific disability category among the other racial/ethnic subgroups.

See the following URL page 16 to 18 for additional resource information:

<https://www.ideadata.org/docs/Disproportionality%20Technical%20Assistance%20Guide.pdf>

6. A Risk Ratio (RR) is used instead of the WRR to determine significant disproportionality when the racial/ethnic distribution of the district's student population varies significantly from the state racial/ethnic distribution. The RR compares identification rates by race/ethnicity against the district's total student population. Specifically:
  - If the number of white or black students with an IEP in a given district is equal to zero, the MDE will forego use of the WRR in favor of the RR in that district. This also applies when the number of white or black students in a specific disability category in a given district is equal to zero.
  - If the number of white or black students with an IEP in a given district is fewer than three and the WRR value is greater than or equal to 2.5 and the RR value is less than or equal to 1.5 (so that the difference between the two measures is greater than or equal to one), MDE will forego use of the WRR in favor of the RR in that district. This also applies when the number of white or black students in a specific disability category in a given district is fewer than three.

See the following URL page 8 to 12 for additional resource information:

<https://www.ideadata.org/docs/Disproportionality%20Technical%20Assistance%20Guide.pdf>

7. An Alternate Risk Ratio (ARR) is used to determine significant disproportionality for a particular racial/ethnic subgroup when there are fewer than 10 students with an IEP in all other racial/ethnic subgroups (disability comparison group). Note: It is not appropriate to forego use of the ARR in favor of the RR unless there are zero black or white students in a given district. There are two comparison groups:
  - All students with an IEP of any other racial/ethnic subgroup.

- All students in the specific disability category among the other racial/ethnic subgroups.

See the following URL page 21 to 22 for additional resource information:

<https://www.ideadata.org/docs/Disproportionality%20Technical%20Assistance%20Guide.pdf>

8. Two sets of the three ratios (WRR, ARR and/or RR) are calculated, using the operating district and resident district data, for each racial/ethnic group across all disabilities and for each racial/ethnic group within each of the six designated disability categories. Operating district data refers to where the students attend school. All students are included in operating district counts including non-public students being served by the public district.
  - If there is an operating district ratio but no resident district ratio (due to a small number of resident students), the operating district ratio is used to determine significant disproportionality.
  - If there is no operating district ratio, but there is a resident district ratio, the district is not considered for significant disproportionality.
  - Public School Academies (PSAs) have only one set of ratios as they are only operating districts.
  - Students participating in intermediate school district center programs are reflected in resident district counts.
9. The lower of the district's selected operating district ratio or resident district ratio is used to determine significant disproportionality. Districts are considered to have significant disproportionality when the appropriate ratio (WRR, ARR or RR) is greater than 3.0 for two consecutive years for any racial/ethnic group across all disabilities or for any racial/ethnic group within a single disability category.
10. The OSE requires that districts identified as having significant disproportionality must:
  - a. Review/Revise Policies, Procedures and Practices: The OSE will assist the district's review of all policies, procedures and practices regarding the identification of children as children with an IEP, including the identification as children with particular impairments; and
  - b. Publicly Report Revisions of Policies, Procedures and Practices: The district must report to the public on the revision of the policies, procedures and practices regarding the identification of children as children with an IEP, including the identification as children with particular impairments.
  - c. Allocate 15% of IDEA Special Education (Part B, Section 611& 619) Grants: For those districts receiving IDEA funds, 15% of your grant for the identified school

year, must be reallocated for early intervening services. These services must be designed to serve children who have not been identified as children with an IEP, particularly but not exclusively, children in the groups that were significantly over-identified. These early intervening services may support activities for students in kindergarten through grade 12 with a particular emphasis on kindergarten through grade 3.

## **Resident District Definition for Analyzing Disproportionate Representation and Significant Disproportionality Data**

The purpose of the revised resident district definition is to include only those students that districts have an opportunity to influence/educate. The “resident” definition excludes students enrolled in schools of choice, non-public, registered home-schools, and entities serving adjudicated students. Resident district is calculated in the following way.

1. Begin with the Michigan Student Database System (MSDS) Fall Collection resident count.
2. Subtract students with the following Student Residency codes:
  - i. Schools of Choice (Codes 02 and 03)
  - ii. Non-Public School (Codes 04 and 08)
  - iii. Registered Home-Schools (Codes 07 and 15)
  - iv. Juvenile Detention (Codes 09 and 12)
  - v. New Public School Academies (PSAs) (Code 10)
3. Filter out all PSAs as identified by the EEM (Educational Entity Master):  
<http://136.181.145.66/eem/>
4. The MSDS resident student count WILL include the following Student Residency codes:
  - Non-K-12 (Code 01)
  - No Cooperative Agreement, no release, not exempted (Code 05)
  - All other non-resident students (Code 06)—(Please note: Operating districts do the MSDS submission—hence these are non-residents of the OPERATING district.) This will include those students who are residents but through an IEP have been placed in another district.
  - School for the Deaf (Code 11) assigned to the students’ resident ISDs.
  - Students with an IEP who are served by a Department of Community Health facility (Code 13)
  - All other resident students (Code 14)

The same parameters set for determining resident district count for the special education population must be applied to the general education population for comparison.

The calculation for operating districts includes:

- PSA, Schools of Choice students, non-public school and registered home-school students who receive special education ancillary services.